GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Commercial Taxes Department – Surprise Check conducted over the Integrated Check Post of Commercial Tax Department, Purushottapuram, Ichapuram Mandal, Srikakulam District on 25-03-2015 – Allegations of Corruption – Initiation of Disciplinary Proceedings against Sri Mudadla Simhachalam, Head Constable, Transport Department, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Article of Charges – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.756 **Dated:14-09-2020**

Read the following:

1. From DG, ACB, A.P, Lr.C.No.61/DES-VSK/2015, dated:23-02-2017.
2. G.O.Ms.No.266, Revenue (Vig.II) Department, dt.14-09-2020.

******

O R D E R :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference 2nd read above, it is considered necessary to hold an enquiry against Sri Mudadla Simhachalam, Head Constable, Transport Department, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District under Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri Mudadla Simhachalam, Head Constable, Transport Department, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District is directed to submit within ten days of the receipt of this order a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Mudadla Simhachalam, Head Constable, Transport Department, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, further action will be processed based on the material available.

6. Attention of Sri Mudadla Simhachalam, Head Constable, Transport Department, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings,

Contd.,2

it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Sri Mudadla Simhachalam, Head Constable, Transport Department, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District (w.e, Annexures-I to IV) through the Transport, Roads and Buildings (Vigilance-Tr) Department, A.P.Secretariat, Velagapudi. (with a request to serve the order on the individual and send the served copy with dated signature to Government)

Copy to

The Transport, Roads and Buildings (Vigilance-Tr) Department, A.P.Secretariat, Velagapudi.

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi.

The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR Administration Block, 2nd Floor, Andhra Pradesh, Vijayawada.

SF / SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE- I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI MUDADLA SIMHACHALAM S/O SURYANARAYANA, HEAD CONSTABLE, TRANSPORT DEPARTMENT, INTEGRATED CHECKPOST, PURUSHOTTAPURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT IN SC.NO.2/SC-ACB/SKL/2015 SRIKAKULAM RANGE.

Sri Mudadla Simhachalam S/o Suryanarayana, Head constable, Transport Department, joined in Government Service on 04-10-1986 as Transport Constable in the office of DTC, Vizianagaram. He was promoted as Head Constable on 18-04- 2011 and he worked at the office of the DTC, Srikakulam. He was deputed from the office of the DTC, Sirkakulam to integrated check Post, Purushottapuram, Ichapuram on deputation basis and he worked as such from 18-04-2011 and committed the, following grave mis-conduct in as much as.

CHARGE-01:

That Sri Mudadla Simhachalam, Head constable, Transport Department, Integrated Check Post, Ichapuram failed to attend his legitimate duties for C shift from 9 PM on 24-03-2015 to 7 AM on 25-03-2015 without sanction of leave or permission from the competent authority.

Thus Sri Mudadla Simhachalam, Head constable, Transport Department by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Govt. servant and thereby contravened Rule 3(1) (2) & 4 (i) of APCS (Conduct) Rules, 1964.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SRI MUDADLA SIMHACHALAM S/O SURYANARAYANA, HEAD CONSTABLE, TRANSPORT DEPARTMENT, INTEGRATED CHECKPOST, PURUSHOTTAPURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT IN SC.NO.2/SC-ACB/SKL/2015 SRIKAKULAM RANGE.

Sri Mudadla Simhachalam S/o Suryanarayana, Head constable, Transport Department, is a native Garugubilli Mandal, Vizianagaram District. His date of birth is 05-10-1956. He joined in Government Service on 04-10-1986 as Transport Constable and he was promoted as Head Constable on 18-04-2011 and posted at the office of the DTC, Srikakulam. He was deputed to integrated check Post, Purushottapuram, Ichapuram on deputation basis and worked as such from 18-04-2011. His basic pay is Rs.16,600/-and he is attaining superannuation on 31-10-2016. He is herein referred as to Govt. Servant.

FACTS AND EVIDENCE:-

On receipt of credible information that the employees of Integrated Check Post, Purushottapuram (Ichapuram) Srikakulam District were indulging in corrupt practices habitually by collecting illegal gratifications directly and also through private persons by abusing their official positions from the crew members/owners of the vehicles, whose vehicles are passing through the check-post, without conducting physical verification of the vehicles and connected records of the vehicles and goods being transported and not collecting authorized fees/tax dues and fines for the violations from the owners and crew members of the vehicles and causing huge loss to the Govt. exchequer for their personal gain, the DSP, ACB, Srikakulam Range organized surprise check on the Check-post in the presence of mediators with the assistance of officers and staff of ACB, Srikakulam, Vizianagaram and Dist. Armed Reserve, Srikakulam District on the intervening night of 24/25-03-2015 and the mediators prepared the proceedings from 2315 hrs on 24- 03-2015 to 0730 hrs on 25-03-2015.

During the surprise check Sri Danala Prakasha Rao, S/o late Apparao, aged 54 years, ACTO, Commercial Tax Department produced the records that are maintained in the Integrated check post by the Commercial Tax department and the Transport department.

The DSP, ACB seized the original attendance register, Duty roaster sheets for the month of March, Duty Register and Personal Cash Declaration register for the purpose of further enquiry.

As per the duty Roster and attendance register and as per the information furnished by the Deputy Commissioner (CT), Vizianagaram, the Govt. servant has to attend duty for "C" shift from 09.00 PM on 24.03.2015 07.00 AM on 25.03.2015, but he did not attend for duty at the check post.

Thus the Govt. Servant by his above mentioned acts has exhibited lack of integrity, devotion to the duty and conduct unbecoming of a Govt. servant and contravened Rule 3(1) (2) & 4(i) of APCS (Conduct) Rules, 1964.

The Government Servant has therefore rendered himself liable for regular departmental action.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH ARTICLES OF CHARGES FRAMED AGAINST SRI MUDADLA SIMHACHALAM S/O SURYANARAYANA, HEAD CONSTABLE, TRANSPORT DEPARTMENT, INTEGRATED CHECKPOST, PURUSHOTTAPURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT IN SC.NO.2/SC-ACB/SKL/2015 SRIKAKULAM RANGE.

1.	Original mediators report dated 24/25-03-2015 from 2300 hrs to 0730 hrs at the Integrated check post, Ichapuram.
2.	Original Attendance register.
3.	Duty Register.
4.	Duty roster sheets.
5.	CL register for the year 2015 of Integrated Check Post, Ichapuram.
6.	Reply from the Administrative officer vide RC.No.7/2015, HC dated 18-06-2016.
7.	Reply from DTC, Srikakulam vide C.No.2032/B1/2016, dated 22-07-2016.
8.	Reply from the Deputy Commissioner, (CT), Vizianagaram Division vide DCVZM Rc.No.PS/ 159/2015/A1, dated 20-04-2015.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSES BY WHOM ARTICLES OF CHARGES FRAMED AGAINST SRI MUDADLA SIMHACHALAM S/O SURYANARAYANA, HEAD CONSTABLE, TRANSPORT DEPARTMENT, INTEGRATED CHECKPOST, PURUSHOTTAPURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT IN SC.NO.2/SC-ACB/SKL/2015 SRIKAKULAM RANGE.

1.	Sri Pusarla Rajesh, S/o late Ramarao, aged 35 years, Sub Treasury Officer, Divisional Sub Treasury, Srikakulam. R/o Plot No.12, Near Sai Baba Temple, Visakha B Colony, Srikakulam.
2.	Sri Vijay Bhaskar Ratho, S/o Gowri Charan Ratho, Senior Accountant, District Treasury, Srikakulam. R/o MIG 446, Old APHB Colony, Near Santhoshimatha Temple, Srikakulam. They stated about their presence as official mediators at the time of surprise check conducted on 24/25-03-2015 from 2300 hrs to 0730 AM on 25-03-2015 at Integrated Check Post Purushottapuram, Ichapuram and etc facts.
3.	Smt. R. Anasuya, Administrative Officer, Integrated Check Post, Ichapuram. She speaks about the maintenance of superior officers visiting register, CL register and other registers.
4.	Sri. Dananala Prakasharao S/o late Apparao, 54 yrs, ACTO, Integrated Check Post, Ichapuram. He speaks about his presence at the time of surprise check and absence of M. Simhachalam, TP HC and furnishing of information to ACB officials etc facts.
5.	Sri D. Ramesh, ACB, Vizianagaram Range.
6.	Sri S. Laxmoji, ACB, Vizianagaram Range. Witnesses 15 & 16 are the ACB officials and they speak to the facts of their assisting to DSP, ACB, Srikakulam Range in the surprise check, conducted on 24/25-03-2015 on the Integrated Check Post, Purushottapuram, Ichapuram and their observation in disguise during the surprise check at commercial tax counters and collection of mamools from the transport drivers and etc facts.
7.	Sri. Ch. Lakshmipathi, Deputy Supdt. of Police, ACB, Srikakulam Range. He speaks to the facts of his supervision of surprise check conducted on the Integrated Check Post, Ichapuram on 24/25-03-2015 from 2300 hrs to 0730 hours and about the collection of mamools by the officials of check post from the transport drivers, seizure of amount and relevant documents and registers during the proceedings etc., facts.
8.	Sri. K. Ranga Raju, Deputy Supdt. of Police, ACB, Srikakulam Range. He speaks to the facts of his supervision of surprise check conducted on the Integrated Check Post, Ichapuram on 24/25-03-2015 from 2300 hours to 0730 hours and about the collection of mamools by the officials of check post from the transport drivers, seizure of amount and relevant documents and registers during the proceedings etc., facts.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER